

**THE NOTES BELOW REPRESENT NOTES
AFTER THE SECOND CHECK HAS BEEN
COMPLETED. NO FURTHER
DOCUMENTS WILL BE REVIEWED PRIOR
TO HEARING.**

Proposed Local Rules have been posted and can be viewed by visiting
<http://www.sbcounty.gov/courts/pdfs/misc/proposedrules.pdf>

The court welcomes your comments on these proposed rules. Please send them via E-mail to dmeyers@courts.sbcounty.gov or mail them to San Bernardino County Superior Court, 303 West Third Street, Mail Stop 240, San Bernardino, CA 92415. Comments are due by May 12, 2008. If sending comments close to the end of the comment period, please email only.

The Probate Examiners can be reached at ProbateNotes@courts.sbcounty.gov. Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. PLEASE DO NOT SEND EMAILS TO STATE THAT DOCUMENTS HAVE BEEN FILED, TO REQUEST A CONFIRMATION OF WHETHER DOCUMENTS HAVE BEEN RECEIVED, OR TO REQUEST THE CLEARING OF NOTES. No legal or procedural advice may be given.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

PROBATE

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0600255

CASE NAME: VIRGINIA C. FREY

HEARING:
Accounting Review

COUNSEL:
BANK OF THE WEST (PET)...SEAVER & GILL
VIRGINIA C FREY (DEC)...
THE REGENTS OF THE UNIVERSITY (TP)...OFFICE OF THE GENERAL
COUNSEL

GENERAL INFORMATION:
Letters of Administration issued 3/1/07 (full authority, no bond)

THIS CASE IS SET FOR HEARING ON Accounting Review/Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting or status report is filed.

RECOMMENDATION:
Find out status.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0600279

CASE NAME: FREEDA W HOWARD

SEE ALSO 3 & 4

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

CHARLES HOWARD (PET)...MICHAEL I BURSTEIN
FREEDA W HOWARD (DEC)...

GENERAL INFORMATION

Continued from 10/31/07. No appearance. Court also set OSC. Clerk mailed notice.

Continued from 12/19/07 to be heard with other matter.

Continued from 1/3/08 at request of counsel. Nothing new filed.

Last continued from 3/6/08. No appearance. Court orders petitioner to personally appear at this hearing.

THIS CASE IS SET FOR HEARING ON inventory & appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Probate petition granted 4/25/07, no bond required.
2. No inventory filed. Need final I&A. **Note: A petition to terminate probate proceedings is also before the court (see page 4) as there are insufficient assets subject to probate administration.**

RECOMMENDATION

Court's discretion.

(/KRA/gls).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0600279

CASE NAME: FREEDA W HOWARD

SEE ALSO 2 & 4

HEARING:

OSC re: Sanctions

COUNSEL:

CHARLES HOWARD (PET)...MICHAEL I BURSTEIN
FREEDA W HOWARD (DEC)...

GENERAL INFORMATION

Continued from 12/19/07 to be heard with other matter.

Continued from 1/3/08 at request of counsel.

Last continued from 3/6/08. No appearance.

THIS CASE IS SET FOR HEARING ON OSC re Sanctions

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Matter set on court's own motion when notes were not corrected and no one appeared at the time set for hearing re I&A on 10/31/07. **Note: A petition to terminate probate proceedings is also before the court (see page 4) as there are insufficient assets subject to probate administration.**
2. Clerk mailed notice.

RECOMMENDATION:

Court's discretion.

(/KRA/gls).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0600279

CASE NAME: FREEDA W HOWARD

SEE ALSO 2 & 3

HEARING:

Petition for TERMINATION OF FURTHER PROCEEDINGS AND DISCHARGE OF
PERSONAL REPRESENTATIVE

COUNSEL:

CHARLES HOWARD (PET)...MICHAEL I BURSTEIN
FREEDA W HOWARD (DEC)...

GENERAL INFORMATION

continued from 1/3/08 at request of counsel. Nothing new filed.

Last continued from 3/6/08. No appearance.

THIS CASE IS SET FOR HEARING ON Petition for termination of further proceedings and discharge of personal representative Pr.C.§12251

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner alleges the probate proceedings were begun based on the fact that decedent owned real property that was subject to probate. Petitioner alleges the assets are no longer subject to administration as the property was subject to foreclosure proceedings and as a result the debts of the estate exceed the assets. Question if the foreclosure proceedings commenced during this administration and what petitioner had done to preserve the estate. Need verified supplement. **Supp: petitioner states that the estate did not have sufficient funds necessary to stop the foreclosure.**
2. Petitioner alleges the debts of the estate exceeded the assets. It appears from this statement that there were some assets available to pay decedent's debts. Other than the mortgage encumbrance on the real property, question if petitioner has made a diligent search and notice of creditors and if any claims have been filed and/or paid or debts without claims have been paid? Need verified supplement. **Supp: the mortgage encumbrance was the only debt of the estate and publication was posted. No claims were filed.**

RECOMMENDATION: Court's discretion.
(KRA/gls).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0600289

CASE NAME: SANDRA JO WINSTON

HEARING:
Accounting Review

COUNSEL:
JAMES S KAUDER (PET)...JOHN J GOTTES
SANDRA JO WINSTON (DEC)...

GENERAL INFORMATION:

Letters Testamentary issued 3/1/07 (full authority, no bond)

THIS CASE IS SET FOR HEARING ON Accounting Review/Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting or status report is filed.

RECOMMENDATION:

Find out status.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700571

CASE NAME: MARY R RIVAS

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

THERESA REDONDO-MOLERA (PET)...TOMLINSON, NYDAM & PRINCE
MARY R RIVAS (DEC)...
DEPT OF HEALTH CARE SERVICES (TP)...PRO/PER

VACATE HEARING – Final I&A filed.

(gls/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700587

CASE NAME: LLOYD GEORGE BALL

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

MARION FLEET (PET)...JEFFREY C SQUIRE
LLOYD GEORGE BALL (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON filing Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Partial, Final and Supplemental Inventories have been filed. However, there are bank accounts listed on the final inventory. Need copies of bank statements to support balance of cash on hand per local rule 20-908.

RECOMMENDATION:

Require copies of bank statements.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700595

CASE NAME: ROBERTO AMEZOLA JR

HEARING:

OSC re: Status of issuance of Letters of Administration

COUNSEL:

SANDRA L ZUBIA (PET)...SANDRA B DE MEO
ROBERTO AMEZOLA JR (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON OSC re status of issuance of Letters of Administration

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner was appointed Administrator of the estate on 10/9/07 with requirement of \$20,000 bond. Bond has posted, however, Letters of Administration has not issued (only Letters of *Special* Administration have issued). There are no proposed Letters of Administration in the file to issue. Need same.

RECOMMENDATION:

Court's discretion.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700723

CASE NAME: LORRAINE MARY JENSEN

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

DAVID J MACNEIL (PET)...YOUNG HENRIE HUMPHRIES & MASON
LORRAINE M JENSEN (DEC)...

VACATE HEARING – Corrected Final I&A filed.
(kra/gls/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700797

CASE NAME: MATTHEW RAYMOND SZYMANSKI

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

MARY CZWORNIAK (PET)...STAPLETON & STAPLETON
MATTHEW RAYMOND SZYMANSKI (DEC)...
ANNIE L. MITCHELL (TP)...LAYNE A BARTHOLOMEW

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON inventory & appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters of administration issued 10/25/07, no bond.
2. Partial No.1 Inventory filed. Need final I&A.

RECOMMENDATION:

Inquire status. When an inventory and appraisal is not filed as ordered, court may set a hearing in accord with Pr.C. §8804 and/or 8505.
(kra).

Future hearing dates: accounting review 1/8/09

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700895

CASE NAME: MTR OF RAYMOND JOSEF BOYKO

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
C TERESA DRIVER (PET)...FULLERTON LEMANN SCHAEFFER & D
RAYMOND JOSEF BOYKO (DEC)...
LETICIA BOYKO (PET)...WILLIAM M NASSAR & ASSOCIATES
STATE OF CALIFORNIA FRANCHISE (TP)...

XREF PROPS0701052 CONPS0700015

VACATE HEARING – Final I&A filed.
(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800277

CASE NAME: RUTH Q GUNN REVOCABLE LIVING TRUST

HEARING:
Petition for VERIFIED PETITION TO APPOINT SUCCESSOR TRUSTEE

COUNSEL:
BRENDA SUE GIBERTI (PET)...AAEN LAW PARTNERS

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Appoint Successor Trustee

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the daughter and beneficiary of the Ruth Q. Gunn Revocable Living Trust dated 6/20/91. The original trustor/settlor died on 1/23/08. The decedent named Arrowhead Trust, Inc. as the successor trustee. The settlor also named Arrowhead Trust, Inc., as successor trustee of the Audrey A. Lawrence Special Needs Trust dated 11/11/98. Arrowhead Trust is no longer in existence and the settlor did not name an alternate successor trustee either in the Trust of the Special Needs Trust. Petitioner requests to be appointed as the successor trustee of the Trust and of the Special Needs Trust. All of the beneficiaries of the trust have unanimously agreed to petitioner's appointment. In the First Amendment of the Trust executed 11/11/98, settlor names "Lee Bond" as the successor Trustee of the Trust and/or "Brenda S. Malone" as alternate successor trustee of the Trust (see tab). Question whether Lee Bond and/or Brenda S. Malone (petitioner's former name?) are willing to act as successor trustee? File verified supplement.
2. The issue of bond is not addressed. Need allegation as to the amount of bond in both the Trust and Special Needs Trust would be adequate. File verified supplement.

RECOMMENDATION:
Need verified supplement
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800287

CASE NAME: REA E PATTERSON

HEARING:

Petition for Probate, Letters of Tstmntry with full authority
under IAEA.

COUNSEL:

TIMOTHY MCNUTT	(PET)...	JAMES B CHURCH
REA E PATTERSON	(DEC)...	

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Probate and for Letters Testamentary
with full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond. However, petitioner is a non-resident and court has discretion to require bond per Pr.C. §8571 (estimated value of estate is real property only of \$141,000). JTD
2. Need to file notice of petition to administer estate and proof of service to the trustee of the Rea E. Patterson Trust.

RECOMMENDATION:

Need to clear note 2. If approved, set hearing on the filing of the inventory and appraisal for 12/11/08. Set hearing on accounting review for 7/16/09. Accounting to be filed 30 days in advance.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800291

CASE NAME: LOLA ELIZABETH OSBORN

HEARING:

Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:

LILA D BERGMAN (PET)...ROSS H BERGMAN & ASSOCIATES
LOLA ELIZABETH OSBORN (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Probate of Will and for Letters
Testamentary with full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond.
2. Proof of service filed. However, section 4 is incomplete as to the date notice was mailed. Need proper service.

RECOMMENDATION:

Need to clear note 2. If approved, set hearing on the filing of the inventory and appraisal
for 12/11/08. Set hearing on accounting review for 7/16/09. Accounting to be filed 30
days in advance.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800303

CASE NAME: JOHN J. VARGAS

HEARING:
Spousal Property Petition hearing.

COUNSEL:
ROSEMARY VARGAS (PET)...COLEMAN & HOROWITT,LLP
JOHN J VARGAS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property Petition

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests determination and confirmation of community property interest in real property at 300 E. Victoria St., Rialto, CA pursuant to the terms of decedent's Will
2. No objections are filed at the time of the review of this file.

RECOMMENDATION:

Court's discretion.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS02726

CASE NAME: MTTR OF BERNARD PAUL MUNDALL CHILDRENS'TRUST

HEARING:

TENTH Account and Report of BRYAN C. HARTNELL and Petition for allowance of fees filed.

COUNSEL:

BERNARD PAUL MUNDALL CHILDREN'(DEC)...
BRYAN C. HARTNELL (STE)...BRYAN C. HARTNELL

GENERAL INFORMATION:

Accounting covers period: 1/1/07 – 12/31/07

Assets on hand: \$211,395.63 (cash of \$1,156.12 and the balance in securities) held for the benefit of Betty J. Longo and \$0.00 asset on hand held for Laurel A. Jones

THIS CASE IS SET FOR HEARING ON Tenth Account Current of Bryan Hartnell, Successor Trustee of the Bernard Paul Mundall Childrens' Trust

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner waives fees as successor trustee.
2. Petitioner requests attorney's fees of \$1,938.00. Billed at \$225-\$295/hour for attorney time (10.5 hours) and \$75-\$125/hour for paralegal time (4.9 hours). Itemized. Court to determine whether hourly rates are reasonable. JTD
3. Petitioner made a final distribution of the trust held for Laurel A. Jones on 12/15/07. Question if this distribution was pursuant to the terms of the trust? Or whether it was because the trust was under fair market value per Pr.C. §15408? File verified supplement.

RECOMMENDATION:

Need to clear note 3 and court's determination re fees. If approved, set next accounting review for 5/14/09. Accounting to be filed 30 days in advance.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS02781

CASE NAME: IN THE ESTATE OF MICHAEL LOGAN SOKOL

HEARING:
Hearing re Final Discharge

COUNSEL:
MICHAEL L SOKOL (DEC)...
GENE SIMPSON (PET)...BRUNICK ALVAREZ & BATTERSBY
STATE OF CALIFORNIA FRANCHISE (TP)...PRO/PER

GENERAL INFORMATION

continued from 11/29/07 and 1/31/08 at request of petitioner who is in the process of locating creditors. Nothing new filed.

THIS CASE IS SET FOR HEARING ON filing of receipts and final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Final accounting and distribution approved on 11/27/06.
2. No receipts or petition for final discharge filed.

RECOMMENDATION:

When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with Pr.C. § 8505. Clerk to notify bonding company.
(/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06633

CASE NAME: JAVIER DIAZ FAMILY TRUST DATED 06032005

HEARING:
Readiness Calendar

	COUNSEL:
MINOR CHILDREN	(MIN)...WALTER T MOORE
ELISEO RODRIGUEZ	(TEE)...PECCORINI & PECCORINI
IRMA D. GUTIERREZ	(PRO/PER)...PRO/PER
F MICHAEL JELLEY	(JAMES B CHURCH)...JAMES B C

No calendar notes as this is on for Readiness Calendar.

Future hearing dates: Court Trial 5/15/08

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06789

CASE NAME: EST OF CHARLES PATRICK BRITT

HEARING:
Hearing re Final Discharge

COUNSEL:
STANLEY C BRITT (PET)...JACK B OSBORN
CHARLES PATRICK BRITT (DEC)...
KIM MCJILTON / . (JC)...EDWARD G. OPERINI

GENERAL INFORMATION:
Order for Final Distribution granted 6/21/07

THIS CASE IS SET FOR HEARING ON filing receipts and final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No receipts or final discharge filed.

RECOMMENDATION:
Find out status.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS07192

CASE NAME: ESTATE OF PALESTINE SMITH

HEARING:
Readiness Calendar

COUNSEL:
MONICA SMITH (PET)...FRANK PRAINITO
PALESTINE SMITH (DEC)...
LORRAINE VON DEAUXPLETTE (PET)...MICHAEL R YOUNG
SHERRI L KASTILAHN (PET)...PRO/PER

No calendar notes as this is on Readiness Calendar.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS07247

CASE NAME: ESTATE OF SUSIE VELASQUEZ

HEARING:

FIRST Account and Report of ALFRED VELASQUEZ and Petition for allowance of fees filed.

COUNSEL:

ALFRED VELASQUEZ (PET)...PRO/PER
SUSIE VELASQUEZ (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First Account Current

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need to file notice of hearing and proof of service.
2. There is no allegation as to what efforts were made to locate any creditors, just that no creditor's claims were filed. File verified supplement.
3. Is petitioner seeking to make a final distribution of the estate? If so, need proposed distribution allegation.
4. There is no allegation that notice was sent to Dept. of Health Services per Pr.C. §9202 and whether DHS will file a claim. Need verified supplement.
5. Accounting does not include a Summary of Account as required by Pr.C. §1060 et seq. Need same

RECOMMENDATION:

Need to clear notes
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS07265

CASE NAME: EST OF RALPH C KILBORN

SEE ALSO 21A & 22

HEARING:

Petition for DETERMINATION THAT CERTAIN COMMUNITY PROPERTY
ASSESTS HELD

COUNSEL:

RONALD KILBORN	(PET)...	JACK B OSBORN
RALPH C KILBORN	(DEC)...	
ROBERT C KILBORN	(OBJ)...	BRIAN J SIMPSON

No notes – Judge to decide.

Matter stayed per stipulation of parties. See 12/13/07 probate notes in file for background.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS07265

CASE NAME: EST OF RALPH C KILBORN

SEE ALSO 21 & 22

HEARING:
Petition for RELIEF FROM BREACH OF TRUST

	COUNSEL:
RONALD KILBORN	(PET)...JACK B OSBORN
RALPH C KILBORN	(DEC)...
ROBERT C KILBORN	(OBJ)...BRIAN J SIMPSON

No notes – Judge to decide.
Matter stayed per stipulation of parties. See 12/13/07 probate notes in file for background.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS07265

CASE NAME: EST OF RALPH C KILBORN

SEE ALSO 21 & 21A

HEARING:

Petition for ENFORCEMENT OF THE IN TERROREM CLAUSE IN THE
KILBORN TRUST

COUNSEL:

RONALD KILBORN	(PET)...	JACK B OSBORN
RALPH C KILBORN	(DEC)...	
ROBERT C KILBORN	(OBJ)...	BRIAN J SIMPSON

No notes – Judge to decide.

Matter stayed per stipulation of parties. See 12/13/07 probate notes in file for background.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 9:00 DEPT: E1

CASE #: VPRVS002609

CASE NAME: ESTATE OF ARTHUR W BEAUCHAMP

HEARING:

SECOND & FINAL Account and Report of DONNA EAST and Petition for allowance of fees filed.

COUNSEL:

DONNA EAST (PET)...LAW OFFICES OF FORREST F WOLFE
ARTHUR W BEAUCHAMP (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Second and Final Account and Petition for Final Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests statutory compensation of \$9,408.12.
2. Petitioner requests reimbursement of \$3,590.99 for costs advanced. Itemized. Part of the costs includes photocopy costs of \$8.63 which are not a reimbursable expense per local rule 20-909. The court may wish to allow \$3,582.36 in costs. JTD
3. Attorney requests statutory fees of \$9,408.12 of which \$4,500 was paid leaving a balance due of \$4,908.12. Ok.
4. Petitioner requests authority to withhold \$10,000 for closing costs. JTD

RECOMMENDATION:

RFA subject to court's determination of note 2. If approved, court to set hearing on filing receipts and final discharge for 5/14/09
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

CONSERVATORSHIPS

DATE: 05/08/08 TIME: 10:30 DEPT: E1

CASE #: BC BS00038

CASE NAME: CONSERVATORSHIP OF LOIS BLY

HEARING:

Hearing Re: Proof of posting of additional bond.

COUNSEL:

LAWRENCE A DEAN	(CPE)...	J. DAVID HORSPPOOL
LOIS H. BLY	(CEP)...	
SHIRLEY BLY	(SC)...	SHERRI L KASTILAHN

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Proof of posting additional bond

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Upon approval of the Second Account and Report Current on 3/27/08, the court ordered additional bond to be posted in the amount of \$442,000 and then set this review date. No additional bond is posted.

RECOMMENDATION:

Need to file additional bond of \$442,000. Court may wish to notice bonding company.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0600023

CASE NAME: ALICE P ALMANZA

HEARING:
Accounting Review

COUNSEL:
CLEMENTE D ALMANZA (PET)...WELCH, DACRE & ASSOCIATES, P.
ALICE P ALMANZA (CEP)...DONNA STURGILL DIAZ

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Conservator appointed 3/1/07, \$20,000 bond.
2. No accounting filed.

RECOMMENDATION:

Inquire status. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

Clerk to notice bonding company.

(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0700121

CASE NAME: MTR OF ORRIN LEIF OLSON

HEARING:

Petition for ORDER FIXING COMPENSATION & AUTHORIZING PAYMENT OF
ATTY'S FEES

COUNSEL:

CAROLE A OLSON	(CPE)...LAYNE A BARTHOLOMEW
ORRINE LIEF OLSON	(CEP)...J. DAVID HORSPPOOL
LAWRENCE A DEAN II	(PET)...SHERRI L KASTILAHN

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Attorney's Fees for Court-Appointed
Attorney (J. David Horspool)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of Temporary Conservatorship (estate) issued to Lawrence A. Dean on 11/16/07 and subsequently amended to add additional powers on 3/20/08. It is not known the value of the conservatorship estate as no inventory has been prepared.
2. Attorney Horspool requests fees of \$15,675.00. Billed at \$275/hour for 57 hours. Itemized. The value of the conservatorship estate is not known, so it cannot be determined whether the fee request is reasonable.
3. Attorney Horspool requests reimbursement of costs advanced totaling \$3,204.25. Itemized.
4. Need filing fee for this petition of \$180.00 per Government Code §70658(a)(4).

RECOMMENDATION:

Need filing fee of \$180.00. Thereafter, court's discretion.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0700286

CASE NAME: JACQUELINE ANTOINETTE BECCACIO

HEARING:

Petition for AUTHORIZATION FOR DISTRIBUTION OF MONTHLY ALLOWANCE
TO CONSERVATOR, JACKIE BECCACIO

COUNSEL:

JACKIE BECCACIO (CPE)...HORSPOOL & PARKER
ANDREW BECCACIO (CPE)...HORSPOOL & PARKER
JACQUELINE ANTOINETTE BECCACIO(CEP)...WALTER T. MOORE

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Authorization for Distribution of
Monthly Allowance to Conservator

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioners were appointed co-conservators on 2/25/08. Conservatee has resided with petitioner, Jackie Beccacio, both prior to the commencement of the conservatorship and after. Conservatee requires 24-hour care. Petitioner, Jackie, requests a monthly allowance of \$2,500 for her assistance in caring for conservatee. Petitioner further alleges that the conservatee's assets consist of approximately \$70,000 and her monthly income is \$1,320.00. Petitioner has had to stop working to care for the conservatee. Petitioner currently receives \$1,000 of conservatee's income but alleges that amount is insufficient to cover her own financial obligations. Petitioner alleges that once conservatee's funds are exhausted, petitioner will continue to care for the conservatee. Petitioner is seeking to receive \$1,180.00 more than the monthly income conservatee receives. At this rate, conservatee's estate will be exhausted in less than five years with the expense of care and attorneys' fees not yet requested.
2. **Objection filed by Walter Moore, as Court Appointed Counsel for Conservatee.**

RECOMMENDATION:

Matter is opposed set for contested hearing.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0800049

CASE NAME: JEANINE BURDEN

SEE ALSO 28A

HEARING:

Petition for Appointment of Conservator

COUNSEL:

BETTY A BURDEN	(CP)...J
JEANINE BURDEN	(CEE)...JOAN NELMS
JUANNA D ROSS	(LINDA TOROSSIAN)...LINDA TOR

GENERAL INFORMATION

At 3/11/08 hearing on ex parte petition for appointment of guardian ad litem, court deferred judgment and appointed atty Joan Nelms as counsel for proposed conservatee.

Continued from 4/1/08 to be heard with competing petition.

THIS CASE IS SET FOR HEARING ON Petition for limited conservatorship, person only, filed by Betty Burden, aunt – Petition #1

Competing Petition for limited conservatorship, person and estate, filed by Juanna Ross, sister – Petition #2

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

Petition #1 (Burden):

1. No bond – person only.
2. Petitioner requests medical powers. Need medical capacity declaration.
3. Petitioner requests civil/legal rights re conservatee's rights to contract, to control residence, re medical consent, to marry, re education, and to fix social/sexual contacts. JTD.
4. Return of Citation is filed. Proposed conservatee was personally served on 3/27/08.
5. Court Investigator report filed.
6. IRC report filed.
7. Atty Joan Nelms was appointed for proposed conservatee. Need report of counsel.
8. **Objections filed by Juanna Ross (tabbed)**

Petition #2(Ross):

1. Petitioner requests estate powers as proposed conservatee is expected to receive an inheritance from her father's estate. Petitioner indicates that a petition will be filed to request a Special Needs Trust and thus, bond is not necessary. Court may wish to require minimum bond until it is determine the amount of inheritance and bond to be required in the Special Needs Trust.
2. Petitioner requests medical powers. Medical capacity declaration filed.
3. Petitioner requests civil/legal rights re conservatee's rights to contract, to control residence, re medical consent, to marry, re education, and to fix social/sexual contacts. JTD.
4. Court Investigator report filed
5. IRC report does not address competing petitioner or estate powers requested. Does court wish to require supplemental report? JTD
6. Need report of counsel (Attorney Nelms)
7. Return of Citation is filed. Proposed conservatee was personally served on 4/19/08

RECOMMENDATION

Set for contested hearing.
(/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0800049

CASE NAME: JEANINE BURDEN

SEE ALSO 28

HEARING:
Petition for Appointment of Conservator

	COUNSEL:	
BETTY A BURDEN	(CP)...J	
JEANINE BURDEN	(CEE)...JOAN NELMS	
JUANNA D ROSS	(LINDA TOROSSIAN)...LINDA TOR

See prior notes (matter 28)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0800073

CASE NAME: DELFINA LOPEZ

HEARING:
Petition for Appointment of Conservator

COUNSEL:
ROBERTA D JACKSON (CP)...PRO/PER
DELFINA LOPEZ (CTP)...EDWARD B FISCHER

GENERAL INFORMATION:

Ex-parte hearing 3/25/08 continued for Court Investigator report.

Ex-parte hearing 4/3/08 Orders Granted and hearing continued as court appoints Attorney Fischer for proposed conservatee.

Ex-parte hearing 4/29/08 continued to this date.

THIS CASE IS SET FOR HEARING ON Petition for Limited Conservatorship, person only,
by sister

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Ex-parte orders granted 4/3/08. However, Orders/Letters have not been filed/issued. Court may wish to have Temporary Orders and Letters filed/issued.
2. No bond – person only.
3. Petitioner requests medical powers. Medical Capacity declaration filed.
4. Petitioner requests powers under 2356 as to consent for medical treatment and powers under 2351.5 as to placement.
5. Need return of citation as conservatee is unable to appear at the hearing.
6. Need notice of hearing and proof of service.
7. Conservatee is developmentally disabled. However, IRC report filed indicates no services are received by conservatee.
8. Need report of counsel.

RECOMMENDATION:

Need to clear notes. If approved, set hearing for Compliance Review for **12/11/08** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); and Care Plan per Pr.C.§2352.5.

(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:30 DEPT: E1

CASE #: PROPS0800293

CASE NAME: SPECIAL NEEDS TRUST OF ALMA L CUMMINGS

HEARING:

FIRST Account and Report of INLAND COUNTIES REGIONAL CENTER INC
and Petition for allowance of fees filed.

COUNSEL:

INLAND COUNTIES REGIONAL CENTE(PET)...BRUNICK MCELHANEY &
BECKETT

GENERAL INFORMATION:

Accounting covers period: 10/5/06 – 12/31/07

Assets on hand: \$50,804.84 (cash)

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Allowance
of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests approval of trustee's fees already taken equal to 2% of the trust assets in quarterly fees which amounted to \$261.48. In addition, petitioner took an initial set-up fee in the amount of \$150.00
2. Petitioner requests authority to take additional trustee fees that have accrued but not yet paid in the amount of \$290.47 for 3/07 and \$250.75 for 9/07 for a total of \$541.22. JTD
3. Petitioner requests authority to continue taking 2% of the trust assets in quarterly trustee fees.
4. Attorney requests fees of \$1,418.75. Billed \$275/hour for attorney time and \$75/hour for paralegal time. Itemized. JTD
5. Petitioner alleges that during the period of account Pamela Benitez, responsible officer of The Good Shepherd Fund was discharged as conservator of the estate on 1/4/07. Question whether any fees will be requested by The Good Shepherd Fund? File verified supplement.
6. The summary of account is not on the mandatory Judicial Council form (GC-400/405). Need same. Alternatively, perhaps the court wishes to order

petitioner to include the summary of account on the mandatory Judicial Council form for future accountings. JTD

RECOMMENDATION:

Need verified supplement re note 5. Court's discretion re fees requested. If approved, set next accounting review for 5/14/09.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:30 DEPT: E1

CASE #: SC SS00942

CASE NAME: IN THE MATTER OF EVA K MALTZBERGER

HEARING:

SIXTH AND FINAL Account and Report of EVA A. MALTSBERGER and
Petition for allowance of fees filed.

COUNSEL:

EVA K MALTZBERGER (CEP)...
MARIA K HOFFMAN (CPE)...M DANIEL SAYLOR

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 6th & final account and petition for fees and final
distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 5/23/06 – 12/20/07
2. Assets on hand \$7,871.66.
3. Conservatee died 5/2/07.
4. Petitioner requests compensation of \$6,762.50 less \$1,800 already paid for a balance of \$4,762.50. Billing is based on various rates of \$35-\$75/hour for a total of \$108.18 hours over a period of 16 months. Itemized. JTD
5. Attorney requests fees of \$2,012.50 for legal services. Billing is based on a rate for attorneys at \$275/hour and paralegals at \$50-\$75/hour for a total of 19.5 hours. Itemized. JTD
6. As assets on hand value less than \$100,000, petitioner proposes distribution pursuant to conservatee's Will and Trust per 13100 Affidavits. (Copies of will and Declaration of Trust and original 13100 Declaration attached).

RECOMMENDATION:

If approved, court to set hearing re filing receipts and final discharge for **6/1/09**.
(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:30 DEPT: E1

CASE #: SC SS01078

CASE NAME: IN THE MATTER OF BUELAH BABCOCK

HEARING:

FOURTH AND FINAL Account and Report of MELODIE Z. SCOTT and
Petition for allowance of fees filed.

COUNSEL:

BEULAH BABCOCK	(CEP)...	
CHARLES A MCCONNELL	(CPE)...	HARTNELL HORSPOOL & FOX
MELODIE Z. SCOTT	(SC)...	HARTNELL LISTER & MOORE
ERIC F LANDSGAARD	(OBJ)...	
DEBBIE L LANDSGAARD	()...
KAREN MUSKOVAC	(PRO/PER)...PRO/PER

GENERAL INFORMATION:

Accounting covers period: 2/1/07 – 10/31/07

Assets on hand: \$78,511.31

The conservatee died on 7/4/07

THIS CASE IS SET FOR HEARING ON Fourth and Final Account and Petition for
Allowance of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests fees of \$6,677.55. Billed at various amounts for various services not exceeding \$105/hour. Itemized. Question the following:
(a) On 8/2/07, petitioner spoke with Braswell's Leisure Manor and approved purchase of 2 pack of ensure per month .5 hours, or \$22.50.
Conservatee resided at Integrity and died on 7/4/07. Question this entry?
2. Attorney requests fees of \$7,113.00. Billed at \$225-\$295/hour for attorney time and \$75-\$125/hour for paralegal time. Itemized. JTD
3. Need original bill statement for facility for June, 2007.

4. Petitioner did not use the mandatory Judicial Council form Summary of Account. However, this is the final accounting. Does court wish to require? JTD
5. On disbursements, petitioner paid to Visiting Angels a total of \$10,326.00. However, conservatee resided at a board and care during the time of services by Visiting Angels. Petitioner also made a monthly on-site assessment of more than 3 hours per month totaling \$1,095.00. Question why the additional caregiver services were necessary when conservatee resided at a board and care facility? Need verified supplement.
6. On petitioner's services on 3/20/07, there is reference to completing and executing First Wireless Inc. stock sell form. Do not see this stock listed on assets on hand on any prior accounting nor is there any income from sale of stock in this accounting period. Question whether this is an asset still on hand and if so, the value? If it is sold, what happen to the sales proceeds? File verified supplement.
7. On petitioner's services on 7/18/07, there is reference to correspondence from Attorney Jim Church re coin collection and personal effects. There is no reference to a coin collection or personal effects on the assets on hand. Question whether coin collection and/or personal effects should be listed on assets on hand at an appraised value? File verified supplement.
8. Petitioner proposes to distribute the balance of conservatorship assets to Attorney James Church as personal representative of the estate.

RECOMMENDATION:

Need to clear notes.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:30 DEPT: E1

CASE #: SC SS01150

CASE NAME: IN THE MATTER OF HELEN HITE REGISTER

HEARING:

FINAL Account and Report of REBECCA A KINSCHER and Petition for allowance of fees filed.

COUNSEL:

HELEN HITE REGISTER (CEP)...LERCH STURMER LLP
DOROTHY L DOWNS (CP)...KAREN E BLACK
REBECCA A KINSCHER (CE)...WILLIAM M NASSAR & ASSOCIATES

GENERAL INFORMATION **continued from 3/4/08. Attorney Bryan Hartnell to file a fee petition. Attorney Kelly Pexton requested a continuance to clear calendar notes.**

THIS CASE IS SET FOR HEARING ON Final account of Conservator and Trustee and petition for fees and distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 5/27/05 court approved the 4th and current account of Conservator. At the end of the accounting period, no assets remained in the Conservatorship estate and all assets were held in conservatee's Trust. The conservatorship of the estate was not terminated. Petitioner is the appointed conservator and trustee.
2. Conservatee died 3/13/06.

Conservatorship accounting:

3. The accounting period covers 12/1/04 – 11/30/07.
4. Assets on hand \$51,508.87 consisting of cash.
5. Petitioner requests to transfer all remaining conservatorship assets into the trust.

Trust accounting:

6. Trust established by order for substituted judgment 12/4/01.
7. The beginning balance of the summary of account as to the trust does not match the ending balance of the prior Trust accounting. Need corrected summary and supporting schedules.

8. Receipts from sale of assets compared to the value of assets on hand from the prior accounting show that some of the assets were sold at a loss. However, no losses or other changes are listed. Need verified supplement.
9. Disbursements show assets purchased. However, these assets are not listed in the property on hand schedule. Need verified supplement.
10. Preliminary distributions totaling \$305,227.00 made. Need receipts.

Need fee petition by Attorney Bryan Hartnell.

RECOMMENDATION:

Need to clear notes. If approved, court to set hearing re filing receipts and final discharge for **5/14/09**.

(kra/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:30 DEPT: E1

CASE #: SC SS02309

CASE NAME: MTR OF MICHAEL BROUILLETTE

SEE ALSO 35

HEARING:

Hearing Re: Report and Status from counsel for conservatee.

COUNSEL:

JOHN D. MICKUS (CE)...JOHN D MICKU S
MICHAEL BROUILLETTE (CTE)...DONNA STURGILL DIAZ

GENERAL INFORMATION:

This hearing was set on 3/1/07 upon approval of the 2nd accounting.

Continued from 7/19/07 and 8/30/07. On 8/30/07, Attorney Diaz gives oral report.

Continued from 11/29/07. Oral report given by Donna Sturgill Diaz.

Last continued from 3/27/08. Counsel states that conservatee is at Metro State Hospital. Attorney Diaz to file a written report of counsel and file it with the court.

THIS CASE IS SET FOR HEARING ON Report and Status from counsel for conservatee

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. At the last hearing, the periodic CI report indicated that the conservatee wished to terminate the conservatorship and/or move to Bakersfield and have counsel appointed. **Change of residence filed as to conservatee indicating conservatee is at Metropolitan State Hospital, Norwalk.**
2. Oral report of counsel given on 11/29/07. No written report filed.

RECOMMENDATION:

Court's discretion. If court approves a termination, court may wish to set hearing for the filing of a final accounting.

(gls)

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:30 DEPT: E1

CASE #: SC SS02309

CASE NAME: MTR OF MICHAEL BROUILLETTE

SEE ALSO 34

HEARING:

THIRD / CURRENT Account and Report of JOHN D. MICKUS and
Petition for allowance of fees filed.

COUNSEL:

JOHN D. MICKUS (CE)...JOHN D MICKU S
MICHAEL BROUILLETTE (CTE)...DONNA STURGILL DIAZ

GENERAL INFORMATION:

Accounting covers period: 3/1/06 – 2/29/08

Assets on hand: \$121,641.02 (cash)

THIS CASE IS SET FOR HEARING ON Third Account Current and Petition for Allowance
of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests fees of \$11,509.00. Billed at \$225/hour for attorney services (13.5 hours), \$65/hour for case manager services (97.8 hours) and \$85/hour for fiduciary services (15.7 hours). Itemized.
2. Petitioner alleges the current bond is fixed at \$176,000. Petitioner requests bond be decreased to \$169,400 based on the current assets on hand, estimated annual income and bond recovery costs . Appears adequate.
3. On disbursements, petitioner paid for "cigarettes care package" in various amounts ranging from \$49.97 - \$1,345.33 (on 9/28/06). Question why such a variance? Also, the large purchase of \$1,345.33? File verified supplement.

RECOMMENDATION:

Need to clear note 3. Court's discretion re fees and bond reduction. If approved, set next accounting review for 5/13/10. Accounting to be filed 30 days in advance.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:30 DEPT: E1

CASE #: SC SS02336

CASE NAME: MTR RE PATRICIA E SHIDLER

HEARING:

FIFTH AND FINAL Account and Report of LAWRENCE A DEAN II and
Petition for allowance of fees filed.

COUNSEL:

LAWRENCE A DEAN II (CPE)...KARIN HORSPOOL
PATRICIA E SHIDLER (CEP)...

GENERAL INFORMATION:

Accounting covers period: 3/1/07 – 12/31/07

Assets on hand: \$63,228.67 (cash)

The conservatee died on 10/20/07

THIS CASE IS SET FOR HEARING ON Fifth & Final Account and Petition for Allowance
of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests fees of \$5,482.50. Billed at various rates for various services not exceeding \$105/hour. Itemized. Petitioner also includes an estimate of 10 hours, or \$1,050.00, to finalize services in winding up the estate. These services include account preparation, appearance at final hearing, bond exoneration, ready file for storage, distribution, and final tax returns. This estimate appears excessive as this is a cash estate. Does court wish to reduce this estimate to 5 hours, a reduction of \$525.00, or a total fee of \$4,957.50? JTD
2. Attorney requests fees of \$4,275.00. Billed at \$225/hour for 19 hours. Itemized. Question if there are duplicated bill entries (below). Need verified supplement:
 - (a) 3/1/07 and 3/18/07 "status review of file re acct'g/memo to staff" each billed at .2 hours, or \$45.00
 - (b) 3/2/07 and 3/21/07 "memo to LAD re acct'g due" each billed at .3 hours, or \$67.50

- (c) 1/8/08 and 2/13/08 "memo to LAD re status of final acct'g" one billed at .2 hours (\$45.00) and one billed at .3 hours (\$67.50)
- 3. Petitioner proposes to distribute the balance of the conservatorship estate to the heirs of conservatee per 13100 Affidavits. Please submit the 13100 Affidavits. **Declaration per Pr.C.§13100 filed.**

RECOMMENDATION:

Need to clear notes. If approved, court to set hearing on filing receipts and final discharge for 5/14/09

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:30 DEPT: E1

CASE #: SC SS02507

CASE NAME: MTR RE WILLIE REYNOLDS

HEARING:
Accounting Review

COUNSEL:
BARBARA THOMPSON (PET)...ANNETTE G DE BELLEFEUILLE
WILLIE REYNOLDS (CEP)...

GENERAL INFORMATION:

Second accounting is due for the period 12/28/05 – 12/27/07

Continued from 2/28/08 at request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting is filed.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in
Pr.C. § 2620.2.

(gls)

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:30 DEPT: E1

CASE #: SC SS02517

CASE NAME: MTR RE DOROTHY JEAN HANCOCK

HEARING:

SECOND AND FINAL Account and Report of SANDRA J CLIBURN and
Petition for allowance of fees filed.

COUNSEL:

SANDRA J CLIBURN (CPE)...CRAIG M PARKER
DOROTHY JEAN HANCOCK (CEP)...ANNETTE G DE BELLEFEUILLE

GENERAL INFORMATION:

Accounting covers period: 6/18/05 – 1/23/08

Assets on hand: \$296,144.84 (\$285,000 in carry value of real property and the balance in cash)

The conservatee died on 1/23/08

THIS CASE IS SET FOR HEARING ON Second and Final Account and Petition for Allowance of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner waives fees as conservator during this accounting period.
2. Attorney requests fees of \$7,075.00. Billed at \$225/hour for 28.3 hours. Itemized. JTD

RECOMMENDATION:

If approved, court to set hearing re filing receipts and final discharge for **5/14/09**.
(gls/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:30 DEPT: E1

CASE #: SC SS02623

CASE NAME: MTR OF ESTHER VELASCO

HEARING:
Hearing re Final Discharge

COUNSEL:

MARIE L. VELASCO (CPE)...JOHN M RAGER
ESTHER VELASCO (CEP)...
THE CONSERVATORSHIP OF THE PER(PLA)...JOHN M RAGER
CHICAGO TITLE COMPANY (DEF)...
BILL GREEN ()...
PAT GREEN ()...
MARIA TREVINO ()...
GEORGE JOSEPH MUNOZ JR ()...
EDWARD FRANCIS SWAUGER ()...
CALIFORNIA CAPITAL AND REALTY ()...
RICHARD C STRONG ()...

GENERAL INFORMATION:

Order Terminating Conservatorship granted 5/3/07

THIS CASE IS SET FOR HEARING ON filing receipts and final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No receipt or final discharge is filed.

RECOMMENDATION:

Find out status.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:30 DEPT: E1

CASE #: SC SS02787

CASE NAME: MTR OF TOBY GUY HOFF SR

HEARING:
Accounting Review

COUNSEL:
KRISTI SUE HANSEN (CPE)...JACK B OSBORN
TOBY GUY HOFF SR (CEP)...MARK J. A. FLORY
TOBY GUY HOFF sr (PET)...PRO/PER

GENERAL INFORMATION:

On 2/5/08, the court terminated the conservatorship of the person and estate and ordered Kristi Sue Hansen to file a final accounting.

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting is filed.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2. Court to notify bonding company.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:30 DEPT: E1

CASE #: SC SS02838

CASE NAME: MTTR OF GWENDOLYN L CHRISTENSEN

HEARING:
Accounting Review

COUNSEL:
JOANNE FRENCH (CPE)...ELDER LAW CENTER, P.C.
LAWRENCE DEAN II (CPE)...ELDER LAW CENTER, P.C.
GWENDOLYN L CHRISTENSEN (CEP)...

GENERAL INFORMATION:
2nd Account is due for the period: 3/1/07 – 2/28/08

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting is filed.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2. Court to notify bonding company.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:30 DEPT: E1

CASE #: SC SS03113

CASE NAME: MTR OF JOE MOLLIS

HEARING:

FIRST AND FINAL Account and Report of JOSEPH MOLLIS and Petition
for allowance of fees filed.

COUNSEL:

JOSEPH MOLLIS (CPE)...HORSPOOL & PARKER
JOE MOLLIS (CTE)...DONNA STURGILL DIAZ

GENERAL INFORMATION:

Report covers period: 6/26/06 – 2/6/07
The conservatee died on 2/6/07

THIS CASE IS SET FOR HEARING ON First and Final Report of Conservator on Waiver
of Account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges the conservatorship meets the criteria of Pr.C. §2628 and thus, waives an accounting. However, according to the Inventory filed on 11/15/07, the value of the conservatee's estate is \$437,923.89. Thus, it would appear that an accounting is required and §2628 is not applicable. Need to file an accounting.
2. Petitioner waives fees for this accounting period.
3. Attorney requests fees of \$5,202.00. Billed at \$210-\$225/hour for 23.90 hours. Itemized. Attorney requests to be paid from the estate of conservatee.

RECOMMENDATION:

Need a final accounting both before death (6/26/06-2/6/07) and after death (2/7/07 – 2/6/08).
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:30 DEPT: E1

CASE #: SC SS03187

CASE NAME: MTR OF EULA M RUSS

HEARING:

FIRST Account and Report of LINDA SMITH and Petition for allowance of fees filed.

COUNSEL:

LINDA SMITH	(CPE)...PRO/PER
EULA M RUSS	(CEP)...MELVIN L FRIEDLAND
RONALD MORRIS	(OBJ)...

GENERAL INFORMATION:

Accounting covers period: 9/28/06 – 12/31/07

Assets on hand: \$84.00 (cash)

THIS CASE IS SET FOR HEARING ON First Account Current

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner waives fees during this accounting period.
2. Need original bill statements for the "Terrace" per Pr.C. §2620(c)(5).
3. Summary of account is filed, however, it is not on the mandatory Judicial Council form summary of account (GC-400/405). Please file same.
Alternatively, court may wish to direct petitioner to use the mandatory form on future accountings. JTD
4. Attorney Frank Prainito substituted out of the matter on or about 11/14/07.
Question whether Attorney Prainito will seek fees? File verified supplement.

RECOMMENDATION:

Need to clear notes.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:30 DEPT: E1

CASE #: SC SS1021

CASE NAME: IN THE MATTER OF ROBERT MANNING

HEARING:

Petition for AUTHORIZATION TO INVEST FUNDS IN MUTUAL FUNDS

COUNSEL:

ROBERT MANNING (CEP)...
LAWRENCE A DEAN II (SC)...J. DAVID HORSPOOL

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition to invest funds in Mutual Funds

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner was appointed conservator of the person and estate on 6/7/99.
2. Petitioner states that, per the 8th accounting ending 7/31/07, the cash or readily convertible investments total \$217,526.61.
3. Petitioner alleges that the annual income is sufficient to pay for conservatee's expenses and expects that the estate will post a modest increase in value for the foreseeable future. However, in order to prepare for possible increases in expenses, petitioner believes it is in the best interest of the conservatee and the estate to provide the opportunity for a greater return on investments.
4. Petitioner requests authorization to adopt the Investment Policy of Prudent Investors Network and the Recommendation by Prudent Investors Network (tabbed). It is not apparent from the petition what percentage of the estate is to be invested in mutual funds. Does court wish to require a verified supplement.
JTD

RECOMMENDATION:

Court's discretion.

(kra)

Future hearing dates: accounting review 11/6/08

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:46 DEPT: E1

CASE #: SC SS02278

CASE NAME: MTR OF SARAH A. DYER

VACATED

HEARING:
Accounting Review

COUNSEL:
MELODIE Z. SCOTT (CPE)...HARTNELL HORSPOOL & FOX
SARAH A. DYER (CEP)...ROBERT C CHANDLER
BROOKSIDE HEALTHCARE CNTR (TP)...DILL AND SHOWLER

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:46 DEPT: E1

CASE #: SC SS02278

CASE NAME: MTR OF SARAH A. DYER

HEARING: THIRD REPORT OF CONSERVATOR WITH WAIVER OF ACCOUNT
AND REPORT OF MELODIE Z. SCOTT AND PETITION FOR
ALLOWANCE OF FEES

COUNSEL:

MELODIE Z. SCOTT (CPE)...HARTNELL HORSPOOL & FOX
SARAH A. DYER (CEP)...ROBERT C CHANDLER
BROOKSIDE HEALTHCARE CNTR (TP)...DILL AND SHOWLER

GENERAL INFORMATION:

Report covers period: 12/1/05 – 11/30/07

THIS CASE IS SET FOR HEARING ON Third Report Current on Waiver of Account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges conservatee's estate qualifies under Pr.C. §2628 for a waiver of accounting.
2. Petitioner requests fees of \$5,590.25. Billed at various rates for various services not exceeding \$105/hour. Itemized. Petitioner understands there are insufficient funds to pay requested fees, but requests approval for such fees should sufficient assets come to the conservatorship at a future date. Services include financial services. Does court wish to require original bank statements to verify financial transactions billed by petitioner? JTD
3. Attorney requests fees of \$1,305.00. Billed at \$225/hour for 5.8 hours. Itemized. Counsel understands there are insufficient funds to pay requested fees, but requests same be approved should sufficient assets come to the conservatorship at a future date. JTD
4. Petitioner alleges there were no family or affiliate relationships for individuals hired. However, breakdown of services attached and tabbed shows "Jenny Plant", "Christie Davidson" and "Christina Erickson" as hired help. Jenny Plant is petitioner's sister. Christie Davidson and Christina Erickson are

business affiliates who are also private professional fiduciaries. Need to disclose/notice relationships to interested parties.

RECOMMENDATION:

Need to clear note 4 and court's determination of requiring original bank statements (note 2). If approved, set next accounting review for 5/14/09. Accounting to be filed 30 days in advance.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:46 DEPT: E1

CASE #: SC SS02703

CASE NAME: MTTR OF EVELYN RUBY HORTON

HEARING:
Accounting Review

COUNSEL:
ROBERT MICHAEL HORTON (CPE)...DIANA DIMAGGIO
EVELYN RUBY HORTON (CEP)...
RECHE CANYON CONVALESCENT CENT(TP)...MCCANN & CARROLL

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 4/28/06 court approved the 1st account current; 2nd account due.
2. No accounting filed.

RECOMMENDATION:

Inquire status. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:46 DEPT: E1

CASE #: SC SS02769

CASE NAME: MTR OF JOHN H MIKEASKY

HEARING:
Accounting Review

COUNSEL:
JOHNNY MIKEASKY (CPE)...JAMES B CHURCH
JOHN H MIKEASKY (CEP)...

GENERAL INFORMATION:

Second accounting is due for the period: 11/26/05 – 11/25/07

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting is filed.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2. Clerk to notice bonding company.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 10:46 DEPT: E1

CASE #: SC SS02802

CASE NAME: MTR RE ERNEST MICHAEL NICHOLAS

VACATED

HEARING:
Accounting Review

COUNSEL:
CAROL DE SEPIO (CPE)...STEVEN G GROSSMANN
ERNEST MICHAEL NICHOLAS (CEP)...
US DEPT OF VETERANS AFFAIRS (TP)...ALAN K ACHEN
DEPARTMENT OF DEVELOPMENTAL SE(PRO/PER)...PRO/PER

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

MISC.

DATE: 05/08/08 TIME: 1:30 DEPT: E1

CASE #: PROPS0700373

VACATED

CASE NAME: VOLLWERTH FAMILY TRUST DATED DECEMBER 28 1991

SEE ALSO 50-52

HEARING:

Hearing Re: Proof of Bond.

COUNSEL:

CONNIE H FIFE	(PET)...	JOHN P DEILY
JAMES COOK	(PLA)...	SLOVAK BARON & EMPEY
CONNIE FIFE	(PLA)...	JOHN P DEILY
KIMBERLY COOK	(RES)...	LAW OFFICES OF SCOTT FRIDLEY
SCOTT FRIDLEY	(LAW OFFICES OF SCOTT FRIDLEY)...	LAW OFFIC
CONNIE FIFE	(JOHN P DEILY)...	JOHN P DE
KIMBERLY FRIDLEY	(LAW OFFICES OF SCOTT FRIDLEY)...	LAW OFFIC
EASTSIDE INVESTOR PROPERTIES L	(SLOVAK BARON & EMPEY	
)...SLOVAK BA		
JAMES COOK	(SLOVAK BARON & EMPEY)...	SLOVAK BA

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 1:30 DEPT: E1

CASE #: PROPS0700373

VACATED

CASE NAME: VOLLWERTH FAMILY TRUST DATED DECEMBER 28 1991

SEE ALSO 49-52

HEARING:

Mandatory Settlement Conference

COUNSEL:

CONNIE H FIFE	(PET)...	JOHN P DEILY
JAMES COOK	(PLA)...	SLOVAK BARON & EMPEY
CONNIE FIFE	(PLA)...	JOHN P DEILY
KIMBERLY COOK	(RES)...	LAW OFFICES OF SCOTT FRIDLEY
SCOTT FRIDLEY	(LAW OFFICES OF SCOTT FRIDLEY)...	LAW OFFIC
CONNIE FIFE	(JOHN P DEILY)...	JOHN P DE
KIMBERLY FRIDLEY	(LAW OFFICES OF SCOTT FRIDLEY)...	LAW OFFIC
EASTSIDE INVESTOR PROPERTIES L	(SLOVAK BARON & EMPEY	
)...SLOVAK BA		
JAMES COOK	(SLOVAK BARON & EMPEY)...	SLOVAK BA

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 1:30 DEPT: E1

CASE #: PROPS0700373

VACATED

CASE NAME: VOLLWERTH FAMILY TRUST DATED DECEMBER 28 1991

SEE ALSO 49-52

HEARING:

Petition for OF KIMBERLY COOK FOR SUSPENSION OF POWERS OF
TRUSTEE; REMOVAL OF TRUSTEE; TO COMPEL ETC

COUNSEL:

CONNIE H FIFE	(PET)...	JOHN P DEILY
JAMES COOK	(PLA)...	SLOVAK BARON & EMPEY
CONNIE FIFE	(PLA)...	JOHN P DEILY
KIMBERLY COOK	(RES)...	LAW OFFICES OF SCOTT FRIDLEY
SCOTT FRIDLEY	(LAW OFFICES OF SCOTT FRIDLEY)...	LAW OFFIC
CONNIE FIFE	(JOHN P DEILY)...	JOHN P DE
KIMBERLY FRIDLEY	(LAW OFFICES OF SCOTT FRIDLEY)...	LAW OFFIC
EASTSIDE INVESTOR PROPERTIES L	(SLOVAK BARON & EMPEY	
)...SLOVAK BA		
JAMES COOK	(SLOVAK BARON & EMPEY)...	SLOVAK BA

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/08/08 TIME: 1:30 DEPT: E1

CASE #: PROPS0700373

VACATED

CASE NAME: VOLLWERTH FAMILY TRUST DATED DECEMBER 28 1991

SEE ALSO 49-51

HEARING:

SECOND Account and Report of CONNIE H FIFE and Petition for
allowance of fees filed.

COUNSEL:

CONNIE H FIFE	(PET)...	JOHN P DEILY
JAMES COOK	(PLA)...	SLOVAK BARON & EMPEY
CONNIE FIFE	(PLA)...	JOHN P DEILY
KIMBERLY COOK	(RES)...	LAW OFFICES OF SCOTT FRIDLEY
SCOTT FRIDLEY	(LAW OFFICES OF SCOTT FRIDLEY)...	LAW OFFIC
CONNIE FIFE	(JOHN P DEILY)...	JOHN P DE
KIMBERLY FRIDLEY	(LAW OFFICES OF SCOTT FRIDLEY)...	LAW OFFIC
EASTSIDE INVESTOR PROPERTIES L	(SLOVAK BARON & EMPEY	
)...SLOVAK BA		
JAMES COOK	(SLOVAK BARON & EMPEY)...	SLOVAK BA

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

PROBATE

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: BPRBS00332

CASE NAME: IN THE ESTATE OF VICTOR GRAHAM

VACATED- FINAL DISCHARGE FILED.

HEARING:

Hearing Re: Receipts and Final Discharge.

COUNSEL:

JERRY R GRAHAM	(PET)...	JOHN F WEBER
VICTOR GRAHAM	(DEC)...	
VICTOR R GRAHAM	(DEC)...	
VICTOR ROLAND GRAHAM	(DEC)...	

(/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: MPRMS01608

CASE NAME: ESTATE OF ROBERT LARUE SINGLETON

SEE ALSO 1B

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

JOHN YOUNG (PET)...DENNIS J HEALEY
ROBERT LARUE SINGLETON (DEC)...
BOND SERVICES OF CALIFORNIA (TP)...

GENERAL INFORMATION

Continued from 12-4-07. Nothing new filed.

Continued from 01/28/08 and 3/3/08. On 1/28/08, counsel to check with probate referee for information about the automobile listed in the Inventory and Appraisal. Nothing new filed.

Continued from 4/17/08 at request of counsel.

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Inventory and appraisal has been filed.
2. Copies of investment account statements verifying the balance of cash or securities shall be filed with all inventories and/or accountings. Please file those documents.
M/O of 1/28/08 indicates that the bank statements were filed in court this date. However, no bank statements appear in the file for review. Please file conformed copies.
3. Also I&A does not list the license plate and VIN numbers on auto listed in attachment 2. Need corrected I&A.

RECOMMENDATION:

Require correction of notes. When an inventory and appraisal is not filed as ordered, court may set a hearing in accord with Pr.C. §8505.

(/cbr/gls/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: MPRMS01608

CASE NAME: ESTATE OF ROBERT LARUE SINGLETON

SEE ALSO 1A

HEARING:

Waiver of account and for final distribution.

COUNSEL:

JOHN YOUNG (PET)...DENNIS J HEALEY
ROBERT LARUE SINGLETON (DEC)...
BOND SERVICES OF CALIFORNIA (TP)...

GENERAL INFORMATION:

Continued from 4/17/08 at request of counsel.

THIS CASE IS SET FOR HEARING ON Waiver of Account and Petition for Final Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need copies of bank statements for inventory (see notes in matter 1)
2. Bond company has filed a notice of non-payment of bond premium in the amount of \$1,656.00. Need proof of payment of bond premium. **Waiver of notice of non-payment of bond premium filed indicating client has paid in full.**
3. Petitioner is the sole beneficiary of the Will and waives bond herein.
4. Petitioner waives statutory compensation.
5. Attorney requests statutory fees of \$6,623.26.

RECOMMENDATION:

Need to clear note 1 and then court's discretion. If approved, court to set hearing on filing receipts and final discharge for 4/23/09.

(gls/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0600072

CASE NAME: EARL VARUNA NATHASINGH

SEE ALSO 3

HEARING:

Petition for TO APPROVE AGREEMENT AND STIPULATION FOR
DISTRIBUTION OF ESTATE

COUNSEL:

SANDRA NATHASINGH (PET)...FRYE & HSIEH, LLP
EARL VARUNA NATHASINGH (DEC)...
KAMLA NATHASINGH (CLP)...THE CHUGH FIRM
JUSTIN NATHASINGH (CLP)...THE CHUGH FIRM
HEIRS KAMLA NATHASINGH (TP)...THE CHUGH FIRM

GENERAL INFORMATION

Continued from 1/22/08 and 3/6/08. Court notes that a guardian of the estate must be appointed for minor children before court can rule on distribution.

THIS CASE IS SET FOR HEARING ON Petition to Approve Agreement and Stipulation for Distribution of the Estate

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Proposed Settlement Agreement is attached executed by the interested parties (tabbed in file). Petitioner requests that the court allow the Stipulated Settlement Agreement as submitted.

RECOMMENDATION:

Court's discretion.

(glS)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0600072

CASE NAME: EARL VARUNA NATHASINGH

SEE ALSO 2

HEARING:

Accounting Review

COUNSEL:

SANDRA NATHASINGH (PET)...FRYE & HSIEH, LLP

EARL VARUNA NATHASINGH (DEC)...

KAMLA NATHASINGH (CLP)...THE CHUGH FIRM

JUSTIN NATHASINGH (CLP)...THE CHUGH FIRM

HEIRS KAMLA NATHASINGH (TP)...THE CHUGH FIRM

GENERAL INFORMATION:

Letters of Administration issued 6/8/07 (limited authority, \$25,000 bond)

Continued from 3/6/08. Counsel advises that the home is the major assets and there is a new broker and meetings being held regarding the sale and appraisal value of the house. Court continued matter for proper notice to be filed.

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Status report filed stating the petitioner is awaiting the sale of the real property located at Riverside Dr. in Chino. The accounting will not be completed until the sale of the real property as it is the major asset of the estate. The listing agent allegedly is withdrawing from their position and the attorney for the petitioner has since sent a letter requesting a written statement regarding why Richard Monson is withdrawing from being the listing broker of record. Petitioner does not state an estimated date of when the accounting will be ready.
2. Filing fee of \$180.00 was paid. A status report in a probate matter is exempt from the filing fee per Government Code §70658(d).

RECOMMENDATION:

Court's discretion. If approved, set next accounting review for 12/11/08.

(gls/cbr/gls/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0600098

CASE NAME: STEVEN RAIMON BROOKS

HEARING:
Probate status report filed.

COUNSEL:
ANGEL STEVEN BROOKS (PET)...PRO/PER
STEVEN RAIMON BROOKS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner's status report was supplemented to a petition for termination of probate and discharge of personal representative as the workman's compensation case was dismissed and no monies were distributed to the estate. Thus, there are no assets subject to probate administration.

RECOMMENDATION:

Court's discretion. If approved, no need to set future dates if court discharges petitioner as administrator.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0600172

CASE NAME: MARLYN RICHARD PETRO

HEARING:
Accounting Review

COUNSEL:
BONNIE COSNER (PET)...HEALEY & HEALEY
MARLYN RICHARD PETRO (DEC)...

GENERAL INFORMATION:

Letters of Administration issued 2/7/07 (limited authority, no bond)

Continued from 4/3/08. No appearance and nothing new filed.

THIS CASE IS SET FOR HEARING ON Accounting Review/Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting or status report is filed.

RECOMMENDATION:

When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq.

(/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0600226

CASE NAME: ESTATE OF MANUELA GLORIA PEREZ

SEE ALSO 7

HEARING:

Petition for UNDER PROBATE CODE 8870 FOR CITATION OF PERSON
WRONGFULLY TAKING OR DISPOSING OF PROPERTY ETC

COUNSEL:

SOCRATES SANTANA	(PET)...	GEORGETTA H.R. RAINEY
MANUELA GLORIA PEREZ	(DEC)...	
JOHN T BACHMAYER	(OBJ)...	JOHN T BACHMAYER

GENERAL INFORMATION: **continued from 4/3/08. John Bachmayer failed to appear as ordered on 4/3/08. Court issues bench warrant for \$10,000 and warrant is held until this hearing date.**

THIS CASE IS SET FOR HEARING ON Petition under Probate Code §8870 for Citation of Person Wrongfully taking or disposing of property

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the administrator of the estate and also co-guardian of the minor heir. Petitioner alleges that Attorney John Bachmayer has knowledge and/or possession of assets of the deceased, particularly sums in excess of \$202,000 from various sources. Petitioner further alleges Attorney Bachmayer has delivered a check of \$156,200 payable to the decedent but has not provided a schedule to show that this amount is the actual amount due decedent.
2. Attorney John Bachmayer was personally served on 2/8/08.

RECOMMENDATION:

Court's discretion.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0600226

CASE NAME: ESTATE OF MANUELA GLORIA PEREZ

SEE ALSO 6

HEARING:

FIRST Account and Report of SOCRATES SANTANA and Petition for fees

COUNSEL:

SOCRATES SANTANA (PET)...GEORGETTA H.R. RAINEY

MANUELA GLORIA PEREZ (DEC)...

JOHN T BACHMAYER (OBJ)...JOHN T BACHMAYER

GENERAL INFORMATION: **continued from 4/3/08 to file supplement.**

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Authority to Continue Estate Administration

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of Administration issued 3/22/07 (limited authority, \$172,000 bond)
2. Petitioner alleges the estate is not yet in a position to close as the decedent's former attorney, John Bachmayer, had possession of funds belonging to decedent in the remaining sum of \$46,570.98. Petitioner has filed a petition per Pr.C. §8870 (see matter 6) to recover these funds. Petitioner requests an additional six months to conclude the estate administration.
3. The assets on hand schedule list a CD at Bank of America with an ending balance of \$131,314.56. However, the bank statement shows \$130,314.56. Need reconciliation. Please file verified supplement. **Supp: petitioner states that the accounting does not reflect the stated amount of \$131,314.56 (see purple tab in accounting) and has provided a schedule showing the balance on hand of \$127,352.68. Petitioner states that the balance reflected the accrued interest was paid 3/17/08 which is after the accounting period. However, upon further review it appears more likely a typographical error and no discrepancy exists.**

RECOMMENDATION:

Court's discretion. If approved, set next accounting review for 10/26/08. Accounting to be filed 30 days in advance.

(/gls/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0600246

CASE NAME: MTR O F BRUCE CLARK BAIRD

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
LINDA BARR (PET)...LINDA MURPHY
BRUCE CLARK BAIRD (DEC)...

GENERAL INFORMATION:

Letters Testamentary issued 5/2/07

Continued from 11/7/07, 12/26/07, 02-06-08 and 3/27/08 at request of counsel. Court indicates counsel and administrator are ordered to appear if inventory is not filed. Nothing new filed.

THIS CASE IS SET FOR HEARING ON filing Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. No inventory is filed (overdue by 8 months)

RECOMMENDATION:

When an inventory and appraisal is not filed as ordered, court may set a hearing in accord with Pr.C. § 2614.5 and/or 8505.
(/vet/gls)

Future Hearing Dates:
7/09/08 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700094

CASE NAME: RUTH M HYLES

VACATED- FINAL I&A FILED.

HEARING:
Hearing re: Inventory and appraisal

	COUNSEL:
SHIRLY J LEONARD	(PET)...FULLERTON LEMANN SCHAEFFER & D
RUTH M HYLES	(DEC)...
STEVEN W HYLES	(PET)...GREGORY A. PAIVA & ASSOCIATES

FUTURE HEARING DATES:
3/12/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700502

CASE NAME: ELIZABETH ELLEN VAUGH

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

MADELINE C DOUGLAS (PET)...PRO/PER
ELIZABETH ELLEN VAUGH (DEC)...

GENERAL INFORMATION:

Letters of Administration issued 09-20-07

Continued from 3/27/08 at request of petitioner. Nothing new filed.

THIS CASE IS SET FOR HEARING ON filing Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. No inventory is filed (overdue by 3 months)

RECOMMENDATION:

When an inventory and appraisal is not filed as ordered, court may set a hearing in accord with Pr.C. § 2614.5 and/or 8505.

Future Hearing Dates:

12-04-08 Accounting Review

(vet/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700708

VACATED-- FINAL INVENTORY FILED 11/30/07

CASE NAME: MTR OF FLORENCE ELLEN DE MARTINO

SEE ALSO 12

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

MARGARET GILLILAND (PET)...FULLERTON LEMANN SCHAEFFER & D
FLORENCE ELLEN DE MARTINO (DEC)...
THOMAS J DE MARTINO (PET)...PATRICK J DUFFY
MICHAEL J MARKS-DE MARTINO (PET)...PATRICK J DUFFY

See notes on following page (matter #12).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700708

CASE NAME: MTR OF FLORENCE ELLEN DE MARTINO

SEE ALSO 11

HEARING:

FIRST AND FINAL Account and Report of MARGARET GILLILAND and
Petition for allowance of fees filed.

COUNSEL:

MARGARET GILLILAND (PET)...FULLERTON LEMANN SCHAEFFER & D
FLORENCE ELLEN DE MARTINO (DEC)...
THOMAS J DE MARTINO (PET)...PATRICK J DUFFY
MICHAEL J MARKS-DE MARTINO (PET)...PATRICK J DUFFY

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Report on Waiver of Account and
Petition for Final Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the trustee of the Florence E. De Martino Inter Vivos Trust dated 8/9/96, the sole beneficiary of the estate, who waives an accounting herein.
2. Petitioner waives statutory compensation.
3. Attorney requests statutory fees of \$7,408.65. Ok.
4. Notice is given only to petitioner. Question whether the trust has other beneficiaries who are entitled to distribution per Pr.C. §1208(b). File verified supplement and/or amended notice. **Supp: petitioner is the sole beneficiary under decedent's trust.**

RECOMMENDATION:

Court's discretion. If approved, court to set hearing on filing receipts and final discharge for 5/14/09.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700896

CASE NAME: NELLIE WANITA JENSEN

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

PUBLIC ADMINISTRATOR (PET)...HORSPOOL & PARKER
NELLIE WANITA JENSEN (DEC)...
DEPARTMENT OF HEALTH SERVICES (TP)...PRO/PER

GENERAL INFORMATION:

Letters of Administration issued 10/25/07 (full authority, no bond)

THIS CASE IS SET FOR HEARING ON filing Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Partial Inventory is filed. Need final inventory.

RECOMMENDATION:

Inquire re status of final inventory.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800288

CASE NAME: JAMES LOUIS WICKER

HEARING:

Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

JOHN C WICKER (PET)...ROBERT J SPITZ
JAMES LOUIS WICKER (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by brother

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests bond be fixed at \$338,000. However, based on the "net" gross value of the estate, Court may wish to fix bond at \$130,000. JTD
2. Petitioner is a nominee of decedent's children.
3. Need to file proof of publication.

RECOMMENDATION:

Need to clear note 3 and court's discretion re bond. If approved, court to set hearing on the filing of the inventory and appraisal for 12/11/08. Set hearing on accounting review for 7/16/09. Accounting to be filed 30 days in advance.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800292

CASE NAME: THE THOMAS J FORNEY IRREVOCABLE CHILD'S TRUST

HEARING:
Petition for TO DETERMINE CONSTRUCTION OF TRUST

COUNSEL:
INGRAM MANAGEMENT LLC, TRUSTEE(PET)...BUXBAUM & CHAKMAK

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Determine Construction of Trust

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioners, John C. Forney, Trustee and Elizabeth Greenwalt for Ingram Management LLC, Special Trustee allege that they are the acting trustees of the Thomas J. Forney Irrevocable Child's Trust dated 11/14/97 (a special needs trust, hereafter "Thomas Trust"). Petitioners further allege that the Second Amendment to the Trust at Paragraph 3.01 instructs the successor trustees to distribute the residence at 4956 Francis Avenue, Chino, to the Thomas Trust subject to a life estate for Thomas Forney. The original settlor gave the life estate to Thomas subject to a conditioned right that he live there rent free for as long as he desires provided that the trustee direct the trustee to sell the residence or replace it with or rent or lease another residence that he selects of comparable or lower value. The petitioners believe that the language clearly expresses the Trustors' intent to give the trustee control over the residence but may have omitted the word "may" before the word "direct" so that it the paragraph should have read "provided, however, that the trustee of the trust, in the trustee's absolute and sole discretion, *may* direct the trustee to sell the residence and replace it with or rent or lease another residence that he selects of comparable or lower value." Petitioners request the court to confirm the Trustor's intention and proper construction of the trust language was to include the word "may" as described above. Petitioner also request that the court rule that the trustees properly exercised their discretion to sell the Francis property (see facts to

support the sale of the property tabbed). Petitioners believe they have a duty to provide Thomas with a residence within certain legal definitions (described). Note: Thomas returned to live on the Francis property after serving a period of incarceration, and petitioners request that the court determine Thomas has had no legal right to live on the Francis property since the sale of the property and that Thomas must remove himself and his possessions from the property.

2. No opposition is filed at the time of the review of this file.

RECOMMENDATION:

Court's discretion.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800304

CASE NAME: LILA MAE HILDEBRAND

HEARING:

Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:

CANDANCE SHARENE SANDOVAL (PET)...IGNAZIO FICARA
LILA MAE HILDEBRAND (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Probate of Will and for Letters
Testamentary with full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All residual beneficiaries have waived bond.

RECOMMENDATION:

RFA, no bond. If approved, court to set hearing on the filing of the inventory and appraisal
for 12/11/08. Set hearing on accounting review for 7/16/09. Accounting to be filed 30
days in advance.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: RPRRS02758

CASE NAME: AUDREY MERLIN CARROLL

VACATED- FINAL DISCHARGE FILED.

HEARING:
Hearing Re: Receipts and final discharge.

COUNSEL:
LINDA LOU CARROLL (PET)...THOMAS W SARDONI
AUDREY MERLIN CARROLL (DEC)...

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS04872

CASE NAME: ESTATE OF LILLIAN E MICHIK

SEE ALSO 19 20

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

RICHARD MICHIK (PET)...JEFFORD C DAVIS
LILLIAN E MICHIK (DEC)...
ROBERT MICHIK (TP)...SHORE & WURM
BERNARD M BIDART/CA PROBATE RE(PRO/PER)...PRO/PER

GENERAL INFORMATION:

Continued from **4/15/05, 7/8/05, 9/30/05** (powers suspended, court set OSC re sanctions), **12/9/05, 2/10/07, 5/5/06** (status hearing set), **8/18/06** (powers reinstated), **9/29/06, 11/20/06** (court set OSC re sanctions), **1/22/07** (need bank statements, accounting review set), **3/12/07, 4/30/06** (review/OSC to file bank statements).

Continued from **6/18/07**. No appearance. Citation issued to Richard Michick.

Continued from **8/20/07** at request of counsel. Court also set I&A hearing.

Continued from **10-1-07** at request of counsel, due to death in counsel's family.

Continued from **11/26/07**. No Appearance. As no letters are issued, no I&A and no accounting filed, Court sets OSC re Sanctions. Citations issued to Richard Michik and Jefford Davis who are ordered to appear.

Continued from **12/31/07 and 2/25/08** for counsel to file a declaration that the dates on the bank statements are as of the date that the conservatorship closed and a timeline of the entire file for clarification of events of this case. Court notes no more continuances to be granted.

Continued from 4/3/08. No appearance. Court sets OSC re issuance of Letters. Clerk notified all heirs and creditors. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Inventory & appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters of Special administration first issued on 7/3/02. **On 11/26/07 court set OSC re issuance of Letters. On 12/31/07 matter was taken off-calendar as Court finds letters were issued in 2004. However, upon review of the file, it appears the letters issued were for Special Administration as ordered on 4/14/04. The court admitted decedent's will and appointed executor with full authority on 10/22/04. Need issuance of Testamentary Letters. Court may wish to place OSC re Issuance of Letters back on calendar.**
2. Final I&A filed on 11/17/06. Need copies of bank statements verifying date of death balance per Local Rules of Court, Rule 908. **Supp filed 8/20/07: Bank statement filed but the statement does not cover the date of death (off by almost three years) and the balances do not match. Need proper bank statements.**
3. **Request for special notice filed 5/23/07 by the Probate Referee indicating the fee of \$85 is unpaid. Question if this fee has been paid. File receipt of payment.**

RECOMMENDATION:

Need to clear notes

(kms/kra/gls/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS04872

CASE NAME: ESTATE OF LILLIAN E MICHIK

SEE ALSO 18 20

HEARING:

OSC re: ISSUANCE OF LETTERS

COUNSEL:

RICHARD MICHIK	(PET)...	JEFFORD C DAVIS	
LILLIAN E MICHIK	(DEC)...		
ROBERT MICHIK	(TP)...	SHORE & WURM	
BERNARD M BIDART/CA PROBATE RE	(PRO/PER)...	PRO/PER

See notes on prior page (matter #18).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS04872

CASE NAME: ESTATE OF LILLIAN E MICHIK

SEE ALSO 18 19

HEARING:

FIRST Account and Report of RICHARD MICHIK and Petition for allowance of fees filed.

COUNSEL:

RICHARD MICHIK (PET)...JEFFORD C DAVIS
LILLIAN E MICHIK (DEC)...
ROBERT MICHIK (TP)...SHORE & WURM
BERNARD M BIDART/CA PROBATE RE(PRO/PER)...PRO/PER

GENERAL INFORMATION

Continued from 2/25/08 at request of counsel.

Continued from 4/3/08. No appearance. Court orders petitioner to reimburse the amount of \$3,159.12 and reserves jurisdiction as to interest on this amount. Court orders Jefford Davis and Richard Michik to personally appear at next hearing. Clerk mailed notice. Nothing new filed.

THIS CASE IS SET FOR HEARING ON 1st account current

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Need to clear notes re I&A. (See notes on prior page.)
2. Accounting report is unverified. Need verification.
3. There is no summary of account or supporting schedules. It cannot be determined whether or not this accounting balances. Need to file proper accounting to comply with Pr.C. §1060 et seq.
4. Petitioner has made preliminary distributions. However, it appears petitioner has distributed the entire cash on hand and without prior court order. Question the authority of the preliminary distributions and the distributions made to Jackie, Melissa, and Douglass Michik. Need verified supplement.
5. Petitioner has reimbursed himself a total of \$3,159.12 which includes petitioner's statutory fees, travel expenses and copies. Question the authority to

receive compensation and reimbursement without prior court approval. Court may wish to require petitioner return all funds to the estate or does court wish to hold petitioner responsible for lost income. **On 4/3/08 Court orders petitioner to reimburse the amount of \$3,159.12 and reserves jurisdiction as to interest on this amount.**

6. Petitioner notes at the end of itemized reimbursements that the checking account was closed on 8/9/07 with \$186.81 and a projected balance of - \$309.50. Question why the account was closed and where the funds were placed and what is the meaning of a projected negative balance. Need verified supplement.
7. Need receipts for distributions and payments.
8. Petitioner alleges the estate cannot be closed as the real property in Salton Sea has not yet close. Petitioner alleges the property has been listed for sale since 1/2006, but no offers have been received. Does Court wish to require a re-appraisal at this time or a market analysis from the real estate broker.
9. Petitioner does not state and estimated time needed to close the administration per Pr.C.§12201(a). Need verified supplement.

RECOMMENDATION:

Need to clear notes.

(kra/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS06102

CASE NAME: EST OF MARGARITA G VASQUEZ (MASTER)

HEARING:
OSC re: BOND PREMIUM

COUNSEL:
JENNIE VASQUEZ BARRON (PET)...PRO/PER
MARGARITA G VASQUEZ (DEC)...
PETER HERNANDEZ (PET)...JAMES B CHURCH & ASSOCIATES
JOHN M RAGER (TP)...

Per Judge- No new notes required. Hearing was continued from 05/01/08 for counsel to post bond.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS06510

CASE NAME: MTR OF THE EMMA MARY RAGO TRUST

HEARING:
Readiness Calendar

COUNSEL:
EUGENE V MAROCCO (PET)...THOMAS W DOMINICK
RONALD MAROCCO (OBJ)...LAW OFFICE OF J. DANA MITCHEWE

No notes - Readiness Calendar.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS06658

CASE NAME: ESTATE OF DENNIS R POPE

HEARING:
Hearing Re: Receipts and Final Discharge.

	COUNSEL:
STEVEN J POPE	(PET)...VARNER, SALESON & BRANDT LLP
DENNIS R POPE	(DEC)...
ROBERT SCHMALZ	(PET)...MIN STEPHEN CHO
STEFANI TOMASETTI	(PET)...MIN STEPHEN CHO

GENERAL INFORMATION:
Order for Final Distribution granted 5/22/07

THIS CASE IS SET FOR HEARING ON filing receipts and final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No receipts or final discharge filed/submitted.

RECOMMENDATION:
Find out status.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS06780

CASE NAME: MTR OF FLORA JOHNSON

SEE ALSO 23A 23B

HEARING:

Probate status report filed.

COUNSEL:

EDIE SUE SALES	(PET)...JOHN M RAGER
FLORA JOHNSON	(DEC)...
ANDRE JOHNSON	(PET)...DUANE P BOOTH

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Status report of administration

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner alleges the estate is not in a condition to be closed as the attorney's fees have not been paid as the real property in the estate is in escrow.
2. Petitioner requests an extension of 60 days.
3. Need notice of hearing and proof of service per Pr.C.§12201.

RECOMMENDATION:

Need notice then court's discretion.

(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS06780

CASE NAME: MTR OF FLORA JOHNSON

SEE ALSO 23 23B

HEARING:

Hearing re Final Discharge

COUNSEL:

EDIE SUE SALES	(PET)...	JOHN M RAGER
FLORA JOHNSON	(DEC)...	
ANDRE JOHNSON	(PET)...	DUANE P BOOTH

GENERAL INFORMATION

Continued from **1/14/08**. No appearance. Court sets OSC re: Sanctions. Clerk mailed notice to Attorney Rager. Nothing new filed.

Continued from **3/3/08**. No appearance. Court notes that Attorney Booth was not given notice of this date's hearing. Clerk mailed notice to counsel. Nothing new filed.

Continued from 4/14/08 at request of counsel.

THIS CASE IS SET FOR HEARING ON Hearing re final discharge.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. First and final account approved 1/8/07.
2. Need receipts and petition for final discharge.
3. Counsel has filed a status report on final discharge which is scheduled to be heard on 05/08/08.

RECOMMENDATION

See notes on following page (matter #22).

(/cbr/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS06780

CASE NAME: MTR OF FLORA JOHNSON

SEE ALSO 23 23A

HEARING:

OSC re: SANCTIONS/FAILURE TO FILE FINAL DISCHARGE/RECEIPTS

COUNSEL:

EDIE SUE SALES	(PET)...JOHN M RAGER
FLORA JOHNSON	(DEC)...
ANDRE JOHNSON	(PET)...DUANE P BOOTH

GENERAL INFORMATION:

Continued from **3/3/08**. No appearance. Court notes that Attorney Booth was not given notice of this date's hearing. Clerk mailed notice to counsel. Nothing new filed.

Continued from 4/14/08 at request of counsel.

THIS CASE IS SET FOR HEARING ON OSC re sanctions

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Matter set on court's own motion when notes were not corrected and no one appeared at the time set for hearing re Final Discharge on 1/14/08
2. Clerk mailed notice to Counsel Rager.
3. There is no bonding company to notice

RECOMMENDATION:

Court's discretion.

(kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS06866

CASE NAME: EST OF LESLIE J HUBBARD

HEARING:
SUPPLEMENT TO FIRST ACCOUNT CURRENT

COUNSEL:

MARIA G NICIFOROS (PET)...MARIA G NICIFOROS
LESLIE J HUBBARD (DEC)...
AMERICAN CANCER SOCIETY (TP)...

GENERAL INFORMATION

Continued from 9/12/07.

Continued from 12/12/07 at request of counsel to clear notes. Court will approve \$4,573.88 statutory fees. Nothing new filed.

Continued from 01-30-08 and 3/26/08 at request of counsel to clear notes.

THIS CASE IS SET FOR HEARING ON 1st account current and petition for fees and partial distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 11/22/05 – 6/26/07
2. Accounting still does not include a summary of account or support of summary schedules per Pr.C.§1060 et seq. Unable to verify if accounting balances. File proper accounting.
3. There is no schedule of property on hand as of 6/26/07. Need same.
4. Report indicates all creditor claims filed have been paid.
5. Petitioner alleges the estate is not in a condition to be closed because the final tax returns have not been prepared. Petitioner has retained D. Norling, CPA to prepare the tax returns and requests that the sum of \$1,000 be withheld for possible taxes and closing costs. Furthermore, petitioner requests an additional two months to conclude the estate administration.
6. Petitioner requests to distribute approximately 91% of the estate leaving a balance of \$20,711.77 for fees and taxes. A preliminary distribution shall not exceed 50% of the net value of the estate (Pr.C.§11623). At this time the court may wish to allow

50% or a total of \$123,110 for preliminary distribution of the estate. Alternatively, court may wish to require petitioner to file a final accounting. **On 9/12/07, court authorized distribution of 50% of each bequest as a preliminary distribution. \$5,000 to go to Ms. Crawford and a 50% residue to the Cancer Society. Counsel to prepare order. No order submitted.**

7. Petitioner requests reimbursement of \$5,523.77 for costs advanced for the administration of the estate. Itemized. JTD
8. Petitioner requests 100% dual compensation statutory fees of \$18,015.56. **On 12/12/07, court ruled it will allow \$4,573.88 statutory fees to Ms. Niciforos. Notes below remain for informational purposes only.**
 - a. The calculation of the fee base did not include the gain of \$7,000 on sale of the real property. **The correct statutory fee is \$9,147.77.**
 - b. Consent to allow dual compensation signed by the beneficiaries filed 6/16/06. A personal representative who is an attorney shall be entitled to receive the personal representative's compensation, but shall not receive compensation for services as the attorney unless the court approves the right to the compensation in advance and finds that the arrangement is to the advantage of the estate per Pr.C. §10804. However, on 3/3/06 the Court specifically orders that **no** dual compensation will be awarded.
 - c. The court generally does not allow a preliminary statutory fee of more than 50%.

RECOMMENDATION:

Need to clear notes.

(/vet/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS06904

CASE NAME: MTR OF IRMA G GARCIA

HEARING:

Hearing Re: REPORT OF EXECUTOR WITH WAIVER OF ACCT AND PTN ETC.

COUNSEL:

AURORA GARCIA LOPEZ (PET)...E. JOAN NELMS
IRMA G GARCIA (DEC)...

GENERAL INFORMATION: **continued from 4/3/08 at request of counsel.**

THIS CASE IS SET FOR HEARING ON Report of Executor and Waiver of Account and
Petition for Final Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is sole beneficiary and waives an accounting.
2. Petitioner waives statutory compensation.
3. Attorney requests statutory fees of \$11,080.32. As part of the statutory basis, counsel includes "receipts" of \$21,017.09 which are attached as Exhibit "B", Schedule 1. However, no such schedule is attached. Need same to determine basis.
4. Petitioner has paid \$180.00 filing fee for this report and petition which is exempt per Government Code §70658(d).

RECOMMENDATION:

Need to clear note 3. If approved, court to set hearing on filing receipts and final
discharge for 5/14/09.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS06992

CASE NAME: ESTATE OF MARTIN DALE THOMAS

HEARING:
Hearing Re: STATUS REPORT.

COUNSEL:
DIANE THOMAS (PET)...J. TERRENCE MOYNIHAN
MARTIN DALE THOMAS (DEC)...
GEORGE H. CHANT III (TP)...GEORGE H CHANT

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of Administration issued 1/11/07 (full authority, \$225,000 bond)
2. Petitioner alleges the estate is not yet in a position to close as there are four unresolved issues: (1) IRS abatement of penalties levied on a 2005 tax liability; (2) disposal of 2005 GMC Diesel pick-up trust; (3) collection of an interest-only promissory note which is due and payable in July, 2008; and (4) valuation of model railroad trains having an unusual value. Petitioner requests an additional six months to conclude the estate administration.

RECOMMENDATION:

RFA absent objections and request for an accounting. If approved, set next accounting review for 12/11/08.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN **CONSERVATORSHIPS**

DATE: 05/08/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0600014

CASE NAME: MTR OF FELIX GARCIA

SEE ALSO 28

HEARING:

Petition for Appointment of Conservator

COUNSEL:

CHRISTINA ERICKSON-TAUBE (CE)...SHERRI L KASTILAHN
FELIX GARCIA (CTE)...

GENERAL INFORMATION:

Petitioner was appointed conservator of the estate on 1/3/07 (\$26,000 bond)

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservator, to add person, by PPF

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges that she has been acting under a Durable Power of Attorney for Health Care but that the services for conservatee has been increasing and petitioner now seeks her appointment as conservator of the person. Petitioner makes no request for medical powers.
2. Petitioner is a nominee of conservatee. Question whether conservatee has capacity to nominate petitioner? File verified supplement. Alternatively, court has discretion to appoint counsel for conservatee. JTD
3. Court Investigator's report filed
4. Citation returned served.

RECOMMENDATION:

Court's determination re note 2. If approved, set hearing for Compliance Review for **12/11/08** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); and Care Plan per Pr.C.§2352.5.
(gls/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0600014

CASE NAME: MTR OF FELIX GARCIA

SEE ALSO 27

HEARING:

FIRST Account and Report of CHRISTINA ERICKSON-TAUBE and
Petition for allowance of fees filed.

COUNSEL:

CHRISTINA ERICKSON-TAUBE (CE)...SHERRI L KASTILAHN
FELIX GARCIA (CTE)...

GENERAL INFORMATION:

Accounting covers period: 1/3/07 – 1/31/08

Assets on hand: \$29,631.00 (cash)

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Allowance
of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests fees of \$6,068.75. Billed at various rates for various
services not exceeding \$85/hour. Itemized. The following are concerns re
services:

Services provided without authority to act:

- (a) 11/20/06 – secured clothing sizes and request for comforter/sheets;
ordered from JC Penny and arranged delivery .75 hours, or \$45.00
- (b) 11/27/06 – receive correspondence from Dept of VA re notice of
change in office location; memo to case manager, .20 hours, or
\$10.00
- (c) 11/27/06 – reviewed VA correspondence re veterans residing in
Orange County .2 hours, or \$12.00
- (d) 11/30/06 – reviewed VA correspondence and signed progress
notes (medical records) in lieu of clinicians filling out forms .35
hours, or \$21.00
- (e) 12/12/06 - received and reviewed correspondence from SSA re
2007 benefit amount .2 hours, or \$10.00

- (f) 12/14/06 – completed SSA Rep-Payee form for period of 8/1/05 – 7/31/06 1.1 hours, or \$55.00

Total services provided without court authority is \$153.00. Does court wish to reduce fee request by this amount?

Services for person-type activities where no authority is granted:

- (a) 11/2/06 - faxed Dr. Tarar at Loma Linda VA to request Capacity Declaration .3 hours, or \$18.00
- (b) 3/9/07 – follow-up to dental issues .30 hours, or \$19.50
- (c) 3/28/07 – met with case manager re Advance Health Care Directive Kit .40 hours, or \$26.00
- (d) 4/9/07 – reviewed onsite assessment and evaluation completed by case manager, L. Riley and noted issue of medication delivery and payment .25 hours, \$18.75
- (e) 4/25/07 – review 4-19-07 onsite assessment and evaluation completed by case manager, L. Riley, noted C'tee's psychotic symptoms and his danger to self/others .25 hours, or \$18.75.
- (f) 5/8/07 – reviewed onsite assessment & evaluation completed by case manager on 4-26-07; noted DPOA for Healthcare signed and filed .3 hours, or \$22.50.
- (g) 6/14/07 – met with case manager re C'tee's wish to move to an apartment independently. Made arrangements for case manager to discuss with psychiatrist and social worker @ VA Dept re C'tee's ability to live independently .3 hours, or \$22.50.
- (h) 7/12/07 – reviewed onsite assessment and evaluation completed by case manager on 6/7/07. Reviewed correspondence from Marilyn Pitts, MSW, Dual Diagnosis. Memo to case manager re same .4 hours, or \$30.00
- (i) 10/17/07 reviewed onsite assessment and evaluation completed by case manager on 9-14-07 re C'tee's complaints of health issues .3 hours, or \$25.50

Total person-type services without proper powers is \$201.50. Does court wish to reduce fee request by this amount?

**Total suggested fee reduction is \$354.50, for a total of \$5,714.25

2. In petitioner's billing, there are services for applying to be the representative payee for the VA and SSA benefits. Question why this is required if petitioner is the conservator of the estate? File verified supplement.
3. In petitioner's billing, it is noted that the conservatee desired to make a Will and expressed those desires in 9/07. To date, no petition for substituted Judgment has been filed despite discussions with petitioner's attorney to do so. The Court may wish to appoint counsel for conservatee.
4. Petitioner did not use the mandatory Judicial Council Summary of Account form (GC-400/405). Need same.
5. In the disbursements, there are payments to Lance Riley, case manager, for services. As petitioner only had estate powers, question the authority for these payments totaling \$2,261.25. Need verified itemization from Lance Riley for services rendered per local rule 20-1406(c).

6. Need to submit original bill statements from Braswell's Leisure Manor per Pr.C. §2620(c).
7. Petitioner requests bond be increased to \$75,000 (a total increase of \$49,000).
Appears adequate. JTD

RECOMMENDATION:

Need to clear notes.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0700302

CASE NAME: JOHN L. MILLER

SEE ALSO 29A

HEARING:

SECOND AND FINAL Account and Report of CONNIE K. EPPS and
Petition for allowance of fees filed.

COUNSEL:

ANNE L. CHAVIS	(PCR)...PRO/PER
JOHN L. MILLER	(PCE)...
CONNIE K. EPPS	(SC)...
JOHN D MICKUS	(CPE)...PRO/PER

GENERAL INFORMATION:

Accounting covers period: 8/16/05 – 1/25/08

Assets on hand: \$109,115.25 (cash of \$43,648.82 and the balance in securities)

THIS CASE IS SET FOR HEARING ON Second and Final Account and Report of Connie Epps and Petition for Allowance of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges she wishes to resign as conservator of the person and estate. Attorney John Mickus is petitioning concurrently with this petition for his appointment as successor.
2. Petitioner requests fees of \$9,562.50. Billed at \$75/hour for a total of 127.50 hours. Itemized. JTD
3. Attorney requests fees of \$4,110.00. Billed at \$300/hour for a total of 13.3 hours. Itemized. JTD
4. Petitioner proposes to distribute the balance of the conservatorship assets to the successor conservator herein once appointed.
5. On disbursements there are "personal expenses" paid to "Marie Galloway" totaling \$800/month. There is also the payment to Ms. Galloway for room and board of \$850/month for a room at Gateway Homes. The document presented states that the monthly rate is \$1,250. Question why a total of \$1,650 is being paid? File verified supplement.

RECOMMENDATION:

Need to clear note 5. If approved, court to set hearing on filing receipts and final discharge for 5/14/09.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0700302

CASE NAME: JOHN L. MILLER

SEE ALSO 29

HEARING: Petition for Appointment of Successor Conservator

COUNSEL:

ANNE L. CHAVIS	(PCR)...PRO/PER
JOHN L. MILLER	(PCE)...
CONNIE K. EPPS	(SC)...
JOHN D MICKUS	(CPE)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Successor Conservator, person and estate by John Mickus, Atty/PPF

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The current conservator, Connie Epps, is resigning.
2. Petitioner requests bond be fixed at \$173,000. However, with the current balance of cash on hand, estimated annual income (including public benefits), and bond recovery costs, bond should be fixed at \$220,000. JTD
3. Court Investigator's report is filed with no adverse findings.

RECOMMENDATION:

Court's discretion re bond. Court to set hearing on proof of order appointing Conservator and care plan in accord with Pr.C. §§ 1850, 2352 and 2610 for 12/11/08. Set hearing on accounting review for 7/16/09. Accounting to be filed 30 days in advance.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 10:30 DEPT: E2

CASE #: SC SS01714

CASE NAME: MTR OF JOHN G. JOHNSON

SEE ALSO 31

HEARING:

Hearing Re: Possible transfer to Orange County.

COUNSEL:

JOHN D. MICKUS (CPE)...JOHN D MICKU S
JOHN J. JOHNSON (CEP)...
U.S. DEPARTMENT OF VETERANS AF(TP)...ALAN K ACHEN

GENERAL INFORMATION

Continued from 4/7/08. No appearance.

THIS CASE IS SET FOR HEARING ON Possible transfer to Orange County

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Matter set on court's own motion when Court Investigator report was received stating that the conservatee now permanently reside in Orange County.
2. We have received a notice of non-objection to transfer from Conservator. However, if transferred petitioner is not registered in that County so either petitioner will have to register or another conservator will have to be found.
3. Notice mailed to conservator and counsel.
4. **Supp: Petitioner does not object to a transfer proceeding, but believes a transfer to Orange County would be unnecessarily burdensome on the conservatorship estate as the estate would be subject to transfer fees and petitioner is not registered as a conservator in Orange County.**

RECOMMENDATION:

Court's discretion.

(/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 10:30 DEPT: E2

CASE #: SC SS01714

CASE NAME: MTR OF JOHN G. JOHNSON

SEE ALSO 30

HEARING:

FOURTH Account and Report of JOHN D. MICKUS and Petition for fees

COUNSEL:

JOHN D. MICKUS (CPE)...JOHN D MICKU S

JOHN J. JOHNSON (CEP)...

U.S. DEPARTMENT OF VETERANS AF(TP)...ALAN K ACHEN

GENERAL INFORMATION:

Accounting covers period: 1/31/06 – 1/29/08

Assets on hand: \$28,719.80 (\$22,039.12 cash and the balance in personal property)

THIS CASE IS SET FOR HEARING ON Fourth Account and Report of John Mickus and
Petition for Allowance of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests fees of \$4,198.00. Billed at \$225/hour for attorney services (7.4 hours) and \$85/hour for fiduciary services (29.80 hours). Itemized. JTD
2. Petitioner requests bond be increased to \$68,000 (a total increase of \$21,000). Appears ok. JTD
3. A petition re possible transfer to Orange County is also before the court (see notes on page 30). JTD

RECOMMENDATION:

Court's discretion re fees and transfer to Orange County. If transfer is denied, set next accounting review for 5/13/10.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 10:30 DEPT: E2

CASE #: SC SS02596

CASE NAME: MTR OF MARIA SEMENOW

HEARING:

SECOND AND FINAL Account and Report of EMILY TREVINO and
Petition for allowance of fees filed.

COUNSEL:

EMILY TREVINO	(CPE)...SHERI B CRUZ
MARIA SEMENOW	(CEP)...
CRAIG M PARKER	(TP)...CRAIG M PARKER

GENERAL INFORMATION:

Accounting covers period: 8/15/05 – 7/28/07

Assets on hand: \$195,010.01 (cash and investment account)

The conservatee died on 7/28/07

THIS CASE IS SET FOR HEARING ON Second and Final Account and Petition for
Termination of Conservatorship

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner waives fees for her services during this accounting period.
2. Attorney requests fees of \$6,146.00. Billed at \$100-\$200/hour for attorney time. Itemized. JTD
3. Petitioner requests authority to withhold \$500 as a reserve for post-death expenses.
4. Petitioner proposes to distribute the balance of cash on hand to the personal representative of the estate of Maria Semenow.
5. The accounting is off by \$103.69. Petitioner requests that the court deem this amount as de minimus.
6. Petitioner only provides a pre-death accounting. Need a post-death accounting through the current date for funds still in petitioner's possession as conservator. Note: Mandatory Judicial Council form Summary of Account (GC-400/405)

RECOMMENDATION:

Need post-death accounting through the current date. Court's discretion re fees. If approved, court to set hearing on filing receipts and final discharge for 5/14/09.

(gls)

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 10:30 DEPT: E2

CASE #: SC SS02606

CASE NAME: MTR OF KHRISTY REINING

SEE ALSO 34

HEARING:

Hearing re: INVENTORY & APPRAISAL/ACCT REVIEW

COUNSEL:

APRIL JOHNSON (CPE)...PRO/PER
KHRISTY REINING (CEP)...DONNA STURGILL DIAZ

GENERAL INFORMATION

Continued multiple times, including 3/8/07.

Continued from 4/26/07 at request of counsel to review documents. Court orders April Johnson to be present at next hearing with issued letters. Nothing new filed.

Continued from 6/11/07. Nothing new filed.

Continued from 8/6/07 at request of counsel. Nothing new filed.

Continued from 11-05-07 at request of counsel. Counsel informed this will be his last continuance. OSC re: Removal of April Johnson calendared for 12-27-07 and also continued to this date. Nothing new filed.

Last continued from 3/27/08. No appearance other than County Counsel for PG. Court issues Citation to April Johnson as well as orders conservatee's counsel, Attorney Sturgill-Diaz to personally appear.

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal /Acct Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Conservatorship of the estate was established by stipulation of the parties and signature of the court on 7-30-04. No letters have ever issued. As no letters have ever issued there is no legal obligation to file an inventory and appraisal.
2. A partial inventory and appraisal has now been filed. However, as no letters have issued the Conservator has no authority to take even this action.
3. Petition to Determine Title was granted 6/11/07.
4. Citation returned served indicating April Johnson was personally served on 4/25/08.
5. Court may wish to inquire whether PG is willing to act as successor and calendar the appropriate date for the filing of a petition for their appointment. JTD

RECOMMENDATION:

Court's discretion.

(/vet/gls/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 10:30 DEPT: E2

CASE #: SC SS02606

CASE NAME: MTR OF KHRISTY REINING

SEE ALSO 33

HEARING:

OSC re: REMOVAL OF TEMPORARY CONSERVATOR

COUNSEL:

APRIL JOHNSON
KHRISTY REINING

(CPE)...PRO/PER
(CEP)...DONNA STURGILL DIAZ

See prior notes (matter 33)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 10:30 DEPT: E2

CASE #: SC SS02816

CASE NAME: MTR OF WARREN M STROMBECK

VACATED

HEARING:
Accounting Review

COUNSEL:
LAWRENCE A DEAN II (CE)...CRAIG M PARKER
WARREN M STROMBECK (CTE)...E JOAN NELMS

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 10:30 DEPT: E2

CASE #: SC SS02852

CASE NAME: MTR OF LE ROY HOLMES, JR

HEARING:
Accounting Review

	COUNSEL:
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
LE ROY HOLMES JR	(CEP)...JUDITH RUNYON
WANDA LEE RHOADES	(CPE)...E. JOAN NELMS

GENERAL INFORMATION:

2nd Account is due for the period 12/1/06 – 11/30/07

continued from 3/6/08 at request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Second accounting is due from the successor conservator, Wanda Lee Rhoades.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 10:30 DEPT: E2

CASE #: SC SS02888

CASE NAME: MTR OF ETTIE MAE FENNELL

SEE ALSO 38

HEARING:
Hearing re Final Discharge

COUNSEL:

ETTIE MAE FENNELL	(CEP)...E. JOAN NELMS
MELODIE Z. SCOTT	(CPE)...SHERRI L KASTILAHN
JOHNNY B HUDSON	(CPE)...GREGORY A. PAIVA & ASSOCIATES
AUNDRE JOHNSON	(TP)...

GENERAL INFORMATION:

Order for Final Distribution granted 12/13/07

Continued from 3/6/08 at request of counsel.

THIS CASE IS SET FOR HEARING ON Final Discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Receipt is filed.
2. Need to submit final discharge declaration by Melodie Z. Scott.

RECOMMENDATION:

Find out status of final discharge declaration/order.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/08/08 TIME: 10:30 DEPT: E2

CASE #: SC SS02888

CASE NAME: MTR OF ETTIE MAE FENNELL

SEE ALSO 37

HEARING:
Accounting Review

COUNSEL:

ETTIE MAE FENNELL	(CEP)...E. JOAN NELMS
MELODIE Z. SCOTT	(CPE)...SHERRI L KASTILAHN
JOHNNY B HUDSON	(CPE)...GREGORY A. PAIVA & ASSOCIATES
AUNDRE JOHNSON	(TP)...

GENERAL INFORMATION:

First accounting is due for the period 3/7/07 – 3/6/08

Continued from 3/6/08 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. First accounting is due from the successor conservator, Johnny B. Hudson.
No accounting is filed.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in
Pr.C. § 2620.2.
(gls)

Superior Court of Calif, County of San Bernardino

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CIVCAL4

Superior Court - Redlands - Probate

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

MISC.

DATE: 05/08/08

TIME: 1:30

DEPT: E2

CASE #: VPRVS002770

CASE NAME: ESTATE OF GERALDINE ZELLA MURPHY

VACATED

HEARING:

Petition for SUSPENSION OF POWERS AND REMOVAL OF EXECUTOR ; AND
FOR APPOINTMENT OF SPECIAL ETC

COUNSEL:

JACK STANLEY KING (PET)...CALDWELL, KENNEDY & PORTER, A.

GERALDINE ZELLA MURPHY (DEC)...

RONALD R KING (TP)...CAROLYN J SCHAUF.

BRYAN C HARTNELL (HARTNELL, LISTER & MOORE)...HARTNELL,

RONALD R KING (HARTNELL LISTER & MOORE)...HARTNELL